



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: David E. Weinstein Docket No.: 5402-9
Serial No.: 10/035,914 Examiner: Diana B. Johannsen
Filed: November 7, 2001 Group Art Unit: 1634
Title: **METHODS FOR INHIBITING PROLIFERATION OF
ASTROCYTES AND ASTROCYTIC TUMOR CELLS AND
USES THEREOF**

August 9, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**AMENDMENT IN RESPONSE TO JANUARY 29, 2004 OFFICE ACTION
AND REQUEST FOR THREE (3) MONTH EXTENSION OF TIME**

Sir:

Applicant respectfully responds to the Office Action dated January 29, 2004
as follows:

AMENDMENT TO THE TITLE

Please delete the title and replace it with the following:

**METHODS FOR DETECTING ASTROCYTOMAS AND MONITORING
THE TREATMENT THEREOF**

AMENDMENT TO THE CLAIMS

33. (currently amended) A method for assessing the efficacy of astrocytoma therapy in a subject who has undergone or is undergoing treatment for an astrocytoma, the method comprising assaying for CD81 expression a diagnostic sample of cells of astrocytic tumor cells of the subject, wherein no detection of expression of CD81 in astrocytic tumor cells of the subject is indicative of unsuccessful astrocytoma therapy.

34. (currently amended) The method of claim 33, wherein the diagnostic sample of cells of astrocytic tumor cells lineage of the subject is assayed *in vitro*.

A complete listing of all claims (31-64) in the application pursuant to 37

C.F.R. § 1.121 is attached hereto.

08/12/2004 HALI11 00000019 024270 10035914

02 FC:2253

475.00 DA

BRMFS1 512510v3